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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

LINDA TELLSWORTH, et al.,)	
)	Case No. 3:00-cv-00293-JKS
Plaintiff,)	
)	STATUS REPORT
vs.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
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UNITED STATES OF AMERICA,)	
)	
Third-Party Plaintiff,)	
)	
vs.)	
)	
MICHELLE DAGUE,)	
)	
Third-Party Defendant.)	
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This case has been held in abeyance because the criminal case against Michelle Dague continues. Counsel for plaintiff and defendant have conferred about the status of this case.

The Alaska Court of Appeals, on September 15, 2006 in opinion A-8914, reversed the decision of the superior court and remanded to the superior court to allow the parties to litigate proposed aggravating factor AS 12.55.155(c)(5) before Dague is sentenced for manslaughter. In discussions with the District Attorney's Office, it was estimated that the retrial of the aggravating factor should be held in the next three months.

Accordingly, counsel for plaintiff and defendant suggest that the stay in the present civil case should continue and that the parties provide this Court with an additional status report on or before January 15, 2007.

Respectfully submitted, this 29th of September 2006.

NELSON P. COHEN
United States Attorney

s/Richard L. Pomeroy
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CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2006,
a copy of the foregoing STATUS REPORT
was served electronically on George Kapolchok
and Peter Maassen.

s/ Richard L. Pomeroy